

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
STATESVILLE DIVISION**

5:07cv74

EDITH C. PETERSON, individually,)
and as Trustee of the ECP Trust,)

Plaintiff,)

Vs.)

ORDER

THE CITY OF HICKORY; THE)
CITY OF HICKORY CODE)
ENFORCEMENT DIVISION,)
HICKORY, NC 28601; MR. JERRY)
SHERWOOD; MR. MICHAEL E.)
CASH; THE CITY OF HICKORY)
PLANNING BOARD; CATAWBA)
COUNTY, NC 28658; CATAWBA)
COUNTY ZONING BOARD;)
CATAWBA COUNTY PUBLIC)
HEALTH DEPARTMENT)
ENVIRONMENTAL AFFAIRS)
DIVISION; and CATAWBA)
COUNTY PLANNING BOARD,)

Defendants.)

THIS MATTER is before the court on Edith C. Peterson’s “Motion to the Honorable Court Concerning Unauthorized Actions By Attorneys.” In this motion, Ms. Peterson contends that her attorneys have improperly billed her and she requests

that this court “order them [her attorneys] to return the undue compensation to the Plaintiff’s retainer account, keeping them in this case until justice can be realized in this action.” Motion, at 3.

Ms. Peterson is advised that she is seeking relief this court cannot grant, and that her fee arrangement with her counsel is a matter of private contract that is outside the scope of this court’s jurisdiction. If Ms. Peterson has a question about a fee, she should in the first instance raise such with her attorney and if she is unsatisfied, her attorneys may advise her of relief available from the North Carolina State Bar, which maintains a fee dispute resolution program. R.P.C. 1.5(f)(1).

Finally Ms. Peterson is, respectfully, cautioned that the materials she has filed upon the public record are confidential client communications and that by filing such she has waived the privilege and potentially harmed her own case as well as the cases of the other plaintiffs inasmuch as such documents may reveal her attorneys work product and trial strategy. Ms. Peterson is cautioned that actions have consequences and that she should not make such filings in the future. Finally, Ms. Peterson is advised that while she has the right to represent herself in her individual capacity before this court, she cannot attempt to represent the interests of any other person or legal entity, such as a trust.

ORDER

IT IS, THEREFORE, ORDERED that Edith C. Peterson's Motion to the Honorable Court Concerning Unauthorized Actions By Attorneys (#78) is **DENIED** as non-justiciable.

Signed: June 2, 2008

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Dennis L. Howell
United States Magistrate Judge

